

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

STEVE HICKMAN,	:	
	:	
Plaintiff,	:	CONSOLIDATED
	:	Civil Action No. 05-811-KAJ
v.	:	
	:	
DETECTIVE MARZEC, in his	:	
individual and official capacity,	:	
DAVID HUME IV, TOWN OF	:	
DELMAR, DEPARTMENT	:	
OF DRUG ENFORCEMENT,	:	
and AGENT TOM JACOBS,	:	
	:	
Defendants.	:	
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TAWANDA WEATHERSPOON,	:	
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
DETECTIVE MARZEC, AGENT	:	
TOM JACOBS, TOWN OF	:	
DELMAR, and AGENT CHRIS	:	
QUAGLINO,	:	
	:	
Defendants.	:	
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SANDRA J. WHITE,	:	
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
DETECTIVE MARZEC, AGENT	:	
TOM JACOBS, TOWN OF	:	
DELMAR, and AGENT CHRIS	:	
QUAGLINO,	:	
	:	
Defendants.	:	

### **JOINT STATUS REPORT**

Defendants Ronald Marzec, Tom Jacobs, and Chris Quaglino, through their undersigned counsel, Colm Connolly, United States Attorney, and Seth M. Beausang, Assistant United States Attorney, after having attempted to confer with counsel for the Defendant Town of Delmar, and *pro se* Plaintiffs Steve Hickman, Tawanda Weatherspoon, and Sandra J. White (“Plaintiffs”),<sup>1</sup> submit this Joint Status Report in the above-captioned consolidated cases.

Hickman filed C.A. No. 05-811 on November 25, 2005 (No. 05-811, Doc. No. 2) against Marzec, the Town of Delmar, and others. Hickman also filed an amended complaint in C.A. No. 05-839 on January 5, 2006 (No. 05-839, Doc. No. 8) against Marzec, Jacobs, the Town of Delmar, and others. Marzec and Jacobs filed a motion to dismiss and/or for summary judgment in C.A. Nos. 05-811 and 05-839 on March 31, 2006 (No. 05-811, Doc. No. 15), briefing on that motion was completed on May 4, 2006, and the motion remains pending. On June 6, 2006, the Town of Delmar filed a motion to dismiss in C.A. Nos. 05-811 and 05-839 (No. 05-811, Doc. No. 26), briefing on that motion was completed on June 14, 2006, and the motion remains pending. On October 17, 2006, Plaintiffs purported to file a consolidated amended complaint in these cases which attempted to name additional defendants including Officer Marvin Mailey (No. 05-811, Doc. No. 49), but there is no indication that Plaintiffs served this complaint.

Weatherspoon filed C.A. No. 06-009 against Marzec, Jacobs, Quaglino and others. (No. 06-009, Doc. No. 2.) Marzec, Jacobs, and Quaglino filed a motion to dismiss and/or for summary judgment in C.A. No. 06-009 on May 8, 2006 (No. 06-009, Doc. No. 14), briefing on the motion was completed on June 21, 2006, and the motion to dismiss remains pending.

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<sup>1</sup>Counsel for the undersigned submitted a draft of this Joint Status Report to counsel for Defendant Town of Delmar and Plaintiffs and received no comments.

Weatherspoon then filed a motion to amend her complaint and add the Town of Delmar as a defendant, which motion was granted on July 24, 2006. (No. 06-009, Doc. No. 26.)

White filed C.A. No. 06-008 on January 5, 2006. (No. 06-008, Doc. No. 2.) Marzec, Jacobs, and Quaglino filed a motion to dismiss and/or for summary judgment in C.A. No. 06-008 on May 8, 2006 (No. 06-009, Doc. No. 14), briefing on the motion was completed on May 24, 2006, and the motion to dismiss remains pending. White then filed various motions to amend and amended complaints seeking to name additional defendants (No. 06-008, Doc. Nos. 20, 21, 25), which motions to amend were granted as to the Town of Delmar on July 24, 2006 (No. 06-008, Doc. No. 28).

These cases were consolidated by the Court on July 24, 2006. (No. 05-811, Doc. No. 40.) No discovery has occurred. A mediation conference is scheduled for May 14, 2007 although, based on informal conversations with the Plaintiffs to date, the undersigned does not believe that these cases can be resolved through ADR. The Defendants believe that all of Plaintiff's claims fail as a matter of law as set forth in the various motions to dismiss. The Court's Scheduling Order sets the discovery deadline as March 23, 2007, a pretrial conference on September 24, 2007, and a three-day jury trial on October 22, 2007. (No. 05-811, Doc. No. 43.)

Respectfully submitted,

COLM F. CONNOLLY  
United States Attorney

/s/ Seth M. Beausang  
Seth M. Beausang (I.D. No. #4071)  
Assistant United States Attorney  
1007 N. Orange Street, Suite 700  
Wilmington, Delaware 19801  
(302) 573-6277

Dated: January 3, 2007.

**CERTIFICATE OF SERVICE**

I, Seth M. Beausang, hereby attest under penalty of perjury that on this 3rd day of January, 2007, I caused a copy of the Joint Status Report to be served on the Plaintiffs by First Class Mail at the following address:

Steve A. Hickman  
Tawanda Weatherspoon  
Sandra J. White  
9008 Green Top Rd.  
Lincoln, DE 19960

and the following counsel for the Town of Delmar by electronic filing:

Daniel A. Griffith, Esq.  
1220 Market Street, 5th Floor  
Wilmington, DE. 19801

/s/ Seth M. Beausang  
Seth M. Beausang (DE I.D. No. 4071)